



Valley County Planning & Zoning Commission

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Todd Hatfield, Chairman
Harry Stathis, Vice-Chairman

Ed Allen, Commissioner
Mike Diem, Commissioner
Gerald Patterson, Commissioner

VALLEY COUNTY PLANNING AND ZONING MEETING MINUTES

DATE: June 19, 2008

TIME: 6:00 p.m. to 10:10 p.m.

LOCATION: Valley County Courthouse

ATTENDANCE: Commissioners present: Chairman Todd Hatfield, Gerald Patterson and Harry Stathis. Ed Allen was excused. Staff members present: Cynda Herrick, AICP, Planning and Zoning Administrator and Paula Amundson, Planning and Zoning Administrative Assistant.

MINUTES: Chairman Hatfield asked if there were any changes or corrections to the May 8, 2008 minutes. Commissioner Stathis moved to approve minutes for May 8, 2008. Commissioner Patterson seconded the motion. The motion carried unanimously.

A. OLD BUSINESS:

1. C.U.P. 06-12 Bella Reve Water & Wastewater - Extension Request: The applicant is The Reserve at Lake Cascade. They are requesting approval of a two-year extension request of their Conditional Use Permit which expires on June 8, 2008. The site is located in Sections 3 & 10, T.15N, R.3E, B.M., Valley County, Idaho. [Not a public hearing.] **Tabled from May 8, 2008.**

Chairman Hatfield announced the item and stated it was not a public hearing.

Staff stated the extension was presented before the Commission at last months meeting, but there was not a representative from Bella Reve. They have asked for an extension for two years to June 8, 2010. Commission's question was how have you progressed with your conditional use permit and why are you asking for another extension.

Robin Taylor, Forsgren Associates, Boise, stated they have progressed but it has taken longer than anticipated getting approvals through the Department of Environmental Quality (DEQ). It took a year to get their permit after application was submitted for wastewater reuse permit. The permit was issued last September. Currently they are 90% designed, so design needs to be finished up and submitted back to DEQ for approval before construction can begin.

Commissioner Stathis moved to approve the two year extension for C.U.P. 06-12 Belle Reve

Water & Wastewater to June 8, 2010. Commissioner Patterson seconded the motion. Discussion ensued regarding the length of the extension. Staff commented that the Valley County Land Use Ordinance stated “The Commission may approve extensions for increments of one (1) year upon proper application prior to the expiration of the previous approval”. It was determined the length of the extension request was warranted due to the lengthy process for approvals from DEQ. Motion carried unanimously.

2. C.U.P. 06-20 Liberty Springs Subdivision, Phase 2, 3 & 4 - Extension Request: The applicant is Heath Cunningham of Gannessa, INC. He is requesting approval of a one-year extension request of their Conditional Use Permit that expires July 2008. Phase 2 was recorded in March 2007. The site is located in the S ½ NW ¼ and the SWNE of Section 20, T.12N, R.4E, B.M., Valley County, Idaho. [Not a public hearing.]

Chairman Hatfield announced the item and stated it was not a public hearing.

Staff stated they are requesting a one year extension for their Conditional Use Permit. Their issues are with the roadways, placement for septic systems and the Northern Idaho Ground Squirrel (NIGS).

Keith Jacobs, Keith Jacobs Engineering, representing the Liberty Springs developer, came forward and stated that they thought the roadways could be cleaned up and they could bury the fire prevention water tanks in the next month or so. Now that the snow has melted and the road limits are over, they are renegotiating the contracting price for the construction to begin. Also due to the NIGS they are trying to figure out where the homeowners can place their homes. They are still monitoring the ground water for parts of Phase 3 and Phase 4. Phase 2 has already been recorded.

Chairman Hatfield asked how it works with the U.S. Fish and Wildlife Service and the ground squirrels. Keith stated there is a 3 month window when they show up. At that time everything stops.

Commissioner Stathis moved to approve a one year extension for C.U.P. 06-20 Liberty Springs No. 2, 3 and 4. Commissioner Patterson seconded the motion. The motion carried unanimously.

3. PUD 04-01 The Meadows at West Mountain, Phases 4-6 – Final Plat: The applicant is Jack Charters of Timberline Developments, LLC. He is requesting final plat approval for Phases 4-5 on approximately 58.97 acres. The Commission will review the final plat and Conditional Use Permit to determine conformance with the preliminary plat. Phase I was recorded November 23, 2004; Phase 2-3 on March 2, 2006. The site is located in NE ¼ Sec. 17, T.16N, R.3E, B.M., Valley County, Idaho. [Not a public hearing.] ***Postponed to July 10, 2008.***

Chairman Hatfield announced the item and stated it had been postponed to July 10, 2008.

4. C.U.P. 08-03 Northwind – Final Plat: The applicant is SANWAN LLC. They are requesting final plat approval of a 10 lot single-family residential subdivision on 9.26 acres. The Commission will review the final plat and Conditional Use Permit to determine conformance with the preliminary plat. The property would subdivide Lots 1 & 2 within the Donnelly Estates

Subdivision, addressed as 106 Westwind Road and 12866 Northwind Road. The site is W ½ SE ¼ Section 27, T.16N, R.3E, B.M., Valley County, Idaho. [Not a public hearing.]

Chairman Hatfield announced the item. Stated it was not a public hearing and asked for the Staff Report.

Staff presented the Staff report. Staff stated they are currently working with Parametrix to get their storm water management and site grading plan approved, so that they can construct the road.

Joe Pachner, Toothman-Orton Engineering, stated regarding the site grading plan that it had been submitted to Parametrix and they were told that it has been forwarded on to the County. The water suppression tank has been purchased and we have been waiting for the weather to clear so it can be installed. The plan is to have the subdivision completed prior to final platting. But if some delays occur they will financially guarantee it.

Commissioner Patterson moved to recommend final plat approval and authorized the chairman to sign final plat for C.U.P. 08-03 Northwind Subdivision. Commissioner Stathis seconded the motion. The motion carried unanimously.

5. C.U.P. 05-17 White Cloud, Phase 2 – Final Plat: The applicant is Elkhorn LLC. They are requesting final plat approval for a 35 lot single-family subdivision on 66.46 acres. The Commission will review the final plat and Conditional Use Permit to determine conformance with the preliminary plat. The site is a replat of Block 4 and a portion of Block 5 of White Cloud Phase 1. The site is located in the SE ¼ Sec. 24 and NE ¼ Sec. 25, T.18N, R.2E, and the SW ¼ Sec. 19 and NW ¼ Sec. 30, T.18N, R.3E, B.M., Valley County, Idaho. [Not a public hearing.]

Chairman Hatfield announced the item, stated it was not a public hearing and asked for the Staff Report.

Staff presented the Staff Report.

Scott Findlay, representative for White Cloud, said all the streets have been built and the road signs have been up for a couple of years now.

Commissioner Patterson asked if the area was highly forested. He said that after reading the CCR's he noticed there were no provisions for the property owner to do fire prevention for their home. Mr. Findlay stated they encourage the property owner to do whatever necessary to protect their home from fires and totally agreed with Commissioner Patterson.

Commissioner Stathis moved to recommend final plat approval and authorized the chairman to sign final plat for C.U.P. 05-17 White Cloud Phase 2. Commissioner Patterson seconded the motion. The motion carried unanimously.

B. NEW BUSINESS:

1. C.U.P. 08-07 Lakeport Storage II: The applicant is Lakeport Storage, LLC. They are

requesting approval to establish four storage structures. The purpose of the buildings will be to store seasonal vehicles/boats from Mile High Marina and Hinson Power Sports. The proposed building sizes are: 3,360 sq. ft., 9,000 sq. ft, and two each at 10,200 sq. ft. There are two existing 10,200 sq. ft. storage buildings that were allowed by C.U.P. 06-29. Access would be from the existing Hinson Power Sports driveway on Hwy 55. The 10-acre site is RP00555000020A, Hinson Acres Subdivision Lot 2, in the NWNW Section 3, T.17N, R.3 E, B.M., Valley County, Idaho.

Chairman Hatfield announced the item and asked for any exparte contact or conflict of interest. There were none. He then asked for Staff Report.

Staff presented Staff Report. Staff stated she has since spoken with Lynn Johnson, agent for Lakeport Storage and the wetland delineation was done prior with the previous application. Since the staff report had been completed the following correspondence had been received marked as Exhibit 1. Staff also presented the Commission with the original landscape plan marked as Exhibit 2.

Sherie Mohr, P.O. Box 4569, McCall responded by letter received June 16, 2008.

- Objects to the approval of Lakeport Storage II.
- How will the owners take care of the traffic problem on Highway 55 with the boats being pulled there?
- How will they deal with the drain ditch that flows through the property? How are they going to handle irrigation and water rights to the other property owners?
- How will they deal with water runoff?
- If you continue at this rate of approving industrial sites on Hwy 55, then the scenic byway designation must be taken away.

Ruben and Myrlean Flemmer, PO Box 2144, McCall responded by letter dated June 16, 2008.

- They strongly oppose this application for additional storage units.
- The area is residential/agricultural.
- Safety concern with increased amount of traffic towing boats and/or trailers turning on and off Highway 55.
- Owners of the current boat storage have left huge piles of dirt on the backside and have created an unsightly mess.
- Many of the boats are sitting outside while many of the units are open.

Ana Egnew, 73 Rogers Lane, McCall responded by letter dated June 16, 2008.

- Concerned about the proposed 4 storage buildings on this site, because the two existing storage buildings are an eyesore and impact to the human and natural environment.
- When Hinson Power Sports was allowed to conduct business at this site it began to change and impact the rural character of the area.
- Then four sites adjacent to Hinson Power Sports were approved for residences, which was compatible for this rural area.
- In late 2006 she was shocked to learn that P&Z Commission had approved two 10,000 foot storage buildings for one of the ten acre parcels. These storage units are big and ugly.

- Their existing CUP approval required landscaping to be completed by September 2007 and she has not noticed any landscaping or tree planting occurring.
- Against the approval of this application because:
 1. It is incompatible with the surrounding private homes.
 2. It will affect property values.
 3. The expansion of businesses towards residential areas shows that the Compatibility Matrix is flawed.
 4. Safety issues from additional vehicles and trailers turning on and off of Highway 55.
 5. Lakeport Storage has not complied with its existing conditions of approval including a two-toned building and landscaping.

Jim Egnew, 73 Rogers Lane, McCall responded by letter dated June 19, 2008.

- Opposed to the approval of this application because it does not meet the intent of the Valley County Land Use Ordinance.
- It is obviously not compatible with the dominant surrounding area uses.
- The requirements of the current CUP have been ignored. No landscaping has been started, much less completed.
- The storage of boats outside of the buildings displays a flagrant disregard of County ordinance and should not be rewarded by punishing the residents of the area.
- Request that Valley County consider implementing a conventional, user-friendly and comprehensive county-wide zoning code before it is too late.

John Humphries, P.O. Box 1087, McCall responded by e-mail dated May 8, 2008.

- Opposed to the C.U.P. because it is not compatible with the dominant adjacent land use nor the overall land use in the local vicinity.
- The increase in traffic turning off Highway 55 is a safety concern. The current amount of traffic using the Hinson Power Sports entrance is already a safety hazard.
- He believes the two existing storage units have not met their conditions of approval due to the fact no screening vegetation or landscaping has occurred.

Joy Hamilton, 445 Smitty Avenue, McCall, responded by e-mail received June 19, 2008.

- Please do not permit buildings of this size to store boats anywhere in Valley County. These buildings are not in keeping with other buildings in the area and are an eyesore.

David Simmonds, 506 Sunset Street, McCall, responded by e-mail received June 19, 2008.

- Opposed to this application.
- The applicants have constructed similar storage units at this site which has resulted in an ugly and offensive blight on the valley for residents and visitors.
- They have failed to provide the agreed to landscaping.
- There has been no attempt to make these large, hideous, cheap commercial buildings compatible with surrounding residential properties or with any notion of a scenic corridor.
- Private property rights may be substantial and important, but they do not trump every other interest. Those other interests are once again at stake.

Joey Pietri, PO Box 2265, McCall, responded by e-mail dated June 19, 2008.

- Thinks it is out of hand to add 55,000 square feet of storage to the area at Hinson's, which is pure greed that motivates ruining a beautiful valley to pad pockets.
- Let's be proactive in doing what we can to save what we can of one of the last beautiful valleys in America.

Randi Albrechtsen, 13265 Finlandia Road, McCall, responded by e-mail dated June 19, 2008.

- Please do not support a proposal to add additional storage buildings. The two current storage buildings are the ugliest and largest structures in Valley County.
- The current storage project has not complied with their landscaping requirements.
- Traffic entry through Hinson Power Sports off of Highway 55 is a safety issue.
- The proposal would more than double the impact of the existing buildings by adding 55,000 square feet of buildings up to 25 feet in height.
- Most importantly the 4 additional buildings are simply incompatible with the rural setting (homes) to the east, north and south.

Alex Jones, called and stated she is opposed to Lakeport Storage's expansion.

Ginger and Barr Quarton, 71 Rogers Lane, McCall, responded by e-mail received June 19, 2008.

- Strongly opposed to the building of additional storage units by Lakeport Storage. The already existing buildings are an eyesore and inconsistent with the rural, residential area. Adding more of these ugly buildings is totally inappropriate.

Chairman Hatfield stated at this time they would hear from the applicant.

Sam Worley, representing Lakeport Storage came forward and stated they did submit a landscaping plan with the original storage buildings. After they built the two buildings, they realized there was a demand for additional storage buildings and if they did the landscaping as proposed they would be building right on top of the original landscaping plan. They have since come up with a new landscaping plan to include the new storage buildings. Their intent is to comply with the requirements, but for the reason stated that is why the lot is in the condition that it is in right now. He realized there is confusion between Hinson Power Sports and Lakeport Storage businesses. Their point of access is through Hinson Power Sports even though their property runs all the way to Rogers Lane. For consideration to the neighbors and by the request of the Commission they were not running their business traffic off of Rogers Lane.

Mr. Worley stated regarding the structure of the buildings, Hinson Power Sports has a mechanics bay and a shop bay and they were asked to match the colors of those buildings, so they are the exact same colors as Hinson Power Sports. Regarding the nature of their business they have a lot of activity in the spring time with the success of Hinson's business. Boats are staged temporarily outside before they move them to where the customers want their boats to go. They are trying to make every effort to be good citizens. The two pressure points are in the spring and again in the fall, when everything is put away. The nature of their business is to service the volume of boats they store in the summer and fall. Their business plan is to put the buildings with the boats as close to the mechanics as possible to reduce lease and fuel costs. That is the reason for the

application to expand and the purpose for the lot purchase in the first place. He then presented the revised landscaping plan marked as Exhibit 3.

Mr. Worley stated that Hinson's does stage boats behind their property waiting for them to be serviced once they come out of storage. Commissioner Stathis stated he believed that people are confused between Lakeport Storage and Hinson Power Sports with regards to outside storage and their business activity.

Staff stated the other issues in the letters are:

- Dirt piles that have remained out there,
- The lack of landscaping and
- Race car track.

Mr. Worley said the dirt piles are from the excavation for the two storage buildings. They finished up in the fall and then the snow came and the piles of dirt got buried. He stated it was an oversight not to have smoothed out the dirt piles and will take care of that.

Mr. Worley stated regarding the race car activity, he has two boys and they have remote controlled cars and they built a dirt track out behind one of the buildings. Their intent was not to be a problem to the neighborhood. Commissioner Patterson asked if the cars were noisy; were they gas or electric engines? Mr. Worley responded they had both. He is sympathetic with the complaint there, and if it needs to stop he does not have a problem with that.

Staff stated when you apply for a conditional use permit you need to disclose everything that is going to take place there. Anything else needs an additional conditional use permit.

Commissioner Hatfield asked about wetlands. Staff stated the wetland area is identified on the plat and they are staying out of the repair area. Commissioner Hatfield asked how many boats can be stored right now with the buildings they have. Mr. Worley stated that was 80. There are times when they do have things exposed and are trying to deal with that.

Chairman Hatfield asked to hear from the proponents.

Jim Hinson, McCall, wanting to explain how the traffic issue works. Everything is stored offsite and he goes and gets it and services it and drives it back onto the highway. If these boats are stored onsite that is one less trip he has to go down the highway. Bring it back in the fall and it stays there after being serviced. It is less boat trips resulting in less traffic on and off the highway. Chairman Hatfield asked about how many boats they serviced. Jim said maybe 500 to 600 boats between the summer and fall maintenance work.

Sam Worley said when they built the first set of buildings for fire requirements they put a trench into the pond at Hinson Power Sports and put a connection there so the fire department can hook up and pull water out of the pond. McCall Fire Department was pleased that they put the extra money and effort into that for water accessibility.

Chairman Hatfield asked to hear from the undecided. There were none.

Chairman Hatfield asked to hear from the opponents.

Douglas McNichols, 36 Rogers Lane, McCall, said that most of those comments are from people that are looking at the backside of Hinson's, not from the highway. The landscaping was supposed to be done by September 2007. Cynda Herrick gave them an extension to December 2007 and they have totally ignored the landscaping. Right now there is not one trailer that is in the storage, they are all out parked out there in the field. The buildings are huge and it is not that difficult to put in some dirt and trees. He stated the Commission should have them put in the landscaping in first, before they approve the buildings, to make sure they do it, because they have ignored the requirement for landscaping up to this point. He wanted the Commission to have the amount of trees planted increased by three to four times what they are proposing. The buildings need to be covered, they are an eyesore. It is unfair to the neighbors that the applicant appears to do whatever they please. He felt that they have ignored their conditional use permit up to now and asked that the Commission don't approve it until they abide by what they have been asked to do.

Myrlean Flemmer, 43 Rogers Lane, McCall, stated she is right behind those buildings. They are ugly and do nothing for scenery. There are 34 boats sitting out there right now. They are very much an eyesore. Regarding the noise from the race track, the neighbors run a snow machine late at night that drives you crazy.

Alex Jones, 84 Elk Haven Way, McCall, stated that the record of noncompliance is unacceptable. She drives by this area twice a day and those buildings do not look like anything like Hinson Power Sports. Also, by increasing the capacity of those buildings there is no landscaping plan that would ever be able to screen it from the highway.

Ruben Flemmer, 43 Rogers Lane, McCall lived right next door and he was opposed to anymore storage units. All I can see right now is the storage units and nothing else. The boats have been out there ever since the snow has melted and they came from somewhere, so why can't they be stored there again.

Chairman Hatfield stated at this time they would hear from the applicant for rebuttal.

Sam Worley said regarding the landscaping plan he can start from the Rogers Lane side and then go towards the highway with the buildings and then wrap the landscaping around after the buildings are built. He said it was tough to landscape first and then do construction later.

Chairman Hatfield asked if they would be opposed to reducing the size and number of the buildings. Mr. Worley thought they could use the space and there was customer need for them. Chairman Hatfield asked why can't the boats after they have been serviced to go back into storage until they are ready to go out onto the lake. Mr. Worley stated that mostly right now they have trailers stored and not too many boats at all. The boats that are at Hinson's are ready to be serviced and have come from offsite.

Commissioner Patterson asked if you had more storage buildings would you have less outside storage too. Mr. Worley answered; yes they would be able to put the boats under storage.

Commissioner Stathis wanted to point out that there would always be boats stored outside for when they are serviced in the spring and fall.

Jim Hinson spoke up that the boats stored out back are on land owned by Everest Construction. The boat mess is Hinson Sport's problem and not Lakeport Storage's. If you could give him 15 days he should be able to clear the boat mess up.

Mr. McNichols spoke up and said the big issue here is the conditional use permit you gave these guys two years ago. They basically have done nothing since they built their buildings. There is no landscaping and they have never asked for anything. Maybe they need to build these buildings but before you let them do that make them prove that they are going to do something about their previous CUP. There are a lot of complaints with the previous two buildings.

Mr. Worley stated their intent is not to be disrespectful.

Chairman Hatfield closed the public hearing. He asked about the previous building design. Staff stated they did comply with the design. She further stated that the issue was the people thought they would look like Hinson Sports they were thinking of the log structure out front and the barn. But the storage units match Hinson's buildings in the back.

Discussion ensued amongst the Commission. The lack of landscaping done and the proposed landscaping was a problem here. To properly landscape and screen the buildings there needs to be more trees and much taller trees. The density of the proposed buildings seems to be too much for that area for visual impact. General consensus is that when a conditional use permit is issued it needs to be followed, if the Planning and Zoning Commission is going to have any credibility at all with the public. The letters that were received prior to the meeting were summarized by staff, so there was a general idea of how the public felt. It was verbalized that before a new conditional use permit could be issued that the landscaping needs to come into compliance and the site needs to be cleaned up first. The Commission would like to see the density decreased to two buildings and the landscaping increased along the east boundary of the property to screen from the neighbors on that side.

Staff suggested that the Commission table this application to the next meeting so that the applicant can come back with a revised landscaping and site plan that will mitigate the impacts to the neighbors and the public that is driving down Highway 55 with a phasing plan. The phasing plan should reflect landscaping to the north and east sides first and that a condition of approval could be that they would not be able to get building permits for the new structures until that landscaping was complete. If the applicant chooses not to do this, then they will comply with the original landscaping plan approved and if that is not done, then their conditional use permit will be revoked. They also shall have water rights for irrigation necessary for maintaining landscaping.

Chairman Hatfield moved to table C.U.P. 08-07 Lakeport Storage II to the July 10, 2008 so that they can see a new landscaping plan and phasing plan for landscaping and construction along with the recommendation to reduce the new buildings to two and present a building design. Commissioner Patterson seconded the motion. Commissioner Stathis wanted to know when the original landscaping along the north and east side would be completed. Chairman Hatfield said

that would be shown in the phasing plan and should be completed first. The motion carried unanimously.

2. C.U.P. 08-08 Gold Fork River Ranch Gravel & Sand Sales: The applicant is Gold Fork River Ranch LLC. They are requesting approval to commercially sale the sand and gravel excavated as a result of site development for the Gold Fork River Ranch Subdivision (C.U.P. 07-11). Access would be onto Plant Lane. The 162.32 acre site is bordered by Davis Creek Lane and Koskella Road, parcels RP16N03E254806A & RP16N03E255310A, and is located in the SW Sec. 25, T.16N, R.3E, B.M., Valley County, Idaho.

Chairman Hatfield announced the item and asked for any exparte contact or conflict of interest. There was none. He then asked for the Staff Report.

Staff presented the Staff Report. Staff clarified that the extractive part of this application was approved as part of their C.U.P. for their subdivision. They were going to use that material for their internal road system. Once they got working they had excessive material and now they want to sell that commercially. This application is just for the sales portion of that material.

Jim Fodrea, Rennison Fodrea, 105 N. Main, Cascade came forward and displayed colorized version of roadway and grading plan that was submitted with the application (Exhibit 1). The sand and gravel that they want to sell has been made available from the construction of the first phase of Gold Fork River Ranch. The material is in excess of the subdivision needs and is high quality material. It was not in vision with the original application. In addition to this material they see more material becoming available after the excavation of the ponds in Phase 2. Right now there are 34,000 cubic yards of material in the three stockpiles. The total amount will be somewhere around 100,000 cubic yards of material available for commercial sale. We have submitted an erosion control and dust mitigation plan to keep things clean. The trucks will be funneled out of the construction entrance which is going to be the emergency fire department access for Phase 2, which was requested by the fire district. The site drainage plan is the plan for the entire project. Most of those facilities have been constructed. Much of the excavation sales of this material coming out of the ponds will probably occur concurrent with the sales. If development overtakes sales, then we will probably stock pile some of the material in the locations indicated on Exhibit 1. Staffs conditions of approval are acceptable and will work with the county.

Commissioner Patterson asked about the expiration date of 2010 and if that was enough time? Mr. Fodrea said it was, as it coincided with the completion of Phase 2 for their previous CUP.

Staff addressed Mr. Chairman that the condition of approval for the road development agreement needs to address a specific time frame for when that needs to be completed. For example, prior to any sales, the road development needs to be entered into or within two months the agreement needs to be completed.

John Rennison, Rennison Fodrea, said they will need a reasonable amount of time to work with the Commissioners to develop the agreement. Of course their time lines were estimated and this is tied to the real estate market. They are hoping that other newly developed subdivisions in the valley will want to buy gravel from them. If it stays at the current pace we will likely be back for

an extension.

Commissioner Stathis asked if the current stockpiled materials were solely from Phase 1 with Phase 2 to go. Mr. Fodrea said that was correct. Commissioner Stathis asked why not keep the material for Phase 2. Mr. Rennison said the overall total volume that could be extracted and sold could be up to 100,000 yards. They already have plans for some of the material to use for Phase 2, but they will be excavating the ponds in Phase 2 and there will be more material there also. Wanted it noted that just for their roadway they have already used 30,000 yards and that was yards that were not hauled in for the project.

John Rennison stated that Ken Roberts is working on realigning Davis Creek Road with the county and they will probably be using that approach instead of Plant Lane as soon as it is paved.

Staff asked if there would be any crushing activity. John Rennison said that could be a possibility. Staff stated if so, then they would need to apply for another conditional use permit for crushing.

Chairman Hatfield asked if the layout of the subdivision was going to change from the original submittal after having removed the excess material off of the site. Mr. Rennison stated no that it had not. Chairman Hatfield said he saw that if they were given the approval for the gravel pit, that the subdivision process basically would come to a stop. He asked if they were still going to continue with developing the phases and have a gravel pit going right beside it. Mr. Rennison said that was their plan. Their sales plan is not for a major gravel operation. They are creating a subdivision and that is why they are moving the material off of it. They have every intention of moving forward with Phase 1 and the gravel operation will allow them to move into Phase 2.

Chairman Hatfield asked Staff for the phasing plan for Gold Fork River Ranch Subdivision. Staff stated both phases need to be recorded by 2010.

Chairman Hatfield asked for proponents.

Ken Roberts, 12765 Highway 55, Donnelly, 915 Fairview Drive, McCall, stated he wanted to speak in favor of the gravel operation. John is in the process of making a well designed and good looking subdivision there. He believed the market would allow that material to be moved fairly quickly. With the road development agreement he will be able to use the new road. There will be left hand turn lanes on the highway in both directions at Davis Creek. The county road will also have a left hand turn lane on the east side of the Highway.

Chairman Hatfield asked for undecided. There were none.

Chairman Hatfield asked for opponents. There were none.

Chairman Hatfield asked about the piles on Koskella, are they going to be removed. John Rennison said the east west piles are going to be removed and the north south piles are going to stay there.

Chairman Hatfield closed the public hearing. Discussion ensued amongst the Commission.

Commissioner Patterson said all his questions had been answered, but thought they would be back for an extension. Commissioner Stathis confirmed that it would go through 2010 and thought they had their systems in place. Chairman Hatfield felt that they still needed to move forward with the subdivision, getting the ground reseeded in Phase 1 and not for it to stay the way it is for a couple of years. It was clarified that the subdivision is under construction and this application is for the sale of gravel. Chairman Hatfield felt that there should be a reclaiming plan put in place as a gravel pit. Chairman Hatfield said Phase 1 is totally stripped and there are stock piles all over the place.

Jim Rennison interjected that is not the case at all. He told Mr. Chairman what he is seeing out there is the construction of Phase 1, which resulted in excess material when they expanded some of the ponds. There is an area that has low lying stockpiles that have been piled up and they will be the first to go. The green area is mostly untouched and grass grown. Mr. Rennison distributed the Gold Fork River Ranch flyer marked as Exhibit 2. Encouraged the Commission to drive in and take a look at Phase 1. The flyer showed that in the light green areas there is grass growing and down each lot there are mounds of dirt where they are in the process of building privacy berms. So that is what you are seeing except for the stockpiles themselves.

Staff stated that the conditional approval for the Road Development Agreement (RDA) should state a RDA will be entered into with the Board of County Commissioners within two months or all sales will cease.

Commissioner Patterson moved to approve C.U.P. 08-08 Gold Fork River Ranch Sand and Gravel Sales with the amended RDA be entered into within three months instead of two or all sales will cease. Commissioner Stathis seconded the motion. Motion carried unanimously.

3. C.U.P. 08-09 Aloha Point Subdivision – Preliminary Plat: The applicant is Marty Smith. He is requesting approval of a two-lot residential subdivision on 1.447 acres. Water would be provided by individual wells. North Lake Recreational Sewer and Water District would provide sewer service. Access would be provided via Old State Road. The property is RP16N03E347275, located in the SE of Sec. 34, T.16N, R.3E, B.M., Valley County, Idaho.

Chairman Hatfield announced the item and asked for any exparte contact or conflict of interest. There was none. He then asked for Staff Report.

Staff presented the Staff Report.

Jim Fodrea, Rennison Fodrea, representative for applicant stated that this is a very simple subdivision. There are a couple of options for sewer, but neither one of them should be a problem.

Chairman Hatfield asked for proponents. There were none.

Chairman Hatfield asked for undecided. There were none.

Chairman Hatfield asked for opposed. There were none.

Commissioner Stathis moved to approve preliminary and final plat for one year for C.U.P. 08-09 Aloha Subdivision and authorized the chairman to sign. Commissioner Patterson seconded the

motion. The motion carried unanimously.

4. Amendments to the Valley County Subdivision Regulations Ordinance: The Valley County Subdivision Regulations was originally adopted April 29, 1970 and has been amended previously. The Ordinance provides definitions, rules, and regulations for the approval of plats, subdivisions, dedications, and vacations of public right-of-way and easements; prescribes standards for the design, layout, and development thereof; requires improvements; provides standards for the approval or disapproval thereof; provides for the granting of variations and exceptions thereto; provides for a penalty of violations; and provides for appeal. The current amendment provides for administrative plats, short plats, and pathways, and increases the 20-acre exemption to 40 acres. The complete document may be viewed at: http://www.co.valley.id.us/docs/PZ/Proposed_AmendmentsToSubReg.pdf

Staff stated we have been working on the amendments to the Valley County Subdivision Regulations Ordinance for about four years. A draft was created by the Planning and Zoning Commission and there was a joint work session between the Board of County Commissioners (BOCC) and the Planning and Zoning Commission to review. At that time the BOCC decided not to take action with the amendments. The Board was working on the affordable housing ordinance, which resulted in the review of the subdivision regulations to disappear. Staff decided that it was time to take another look at it and asked the BOCC to send it back to the Planning and Zoning Commission due to the fact that there are new members and new issues to deal with.

The changes to the subdivision ordinance have never been anything that needed to be done quickly. Basically we took the existing ordinance combined it with all of the amendments that have been done throughout the years and put them into the text, removed anything that was covered by LUDO, added administrating for short plats and increased the minimum exempt lot split from 20 acres to 40 acres. We were discussing amendments for pathways when the revised ordinance was tabled.

Now it is back in front of the Planning and Zoning Commission, because planning and zoning plans and looks forward to the future. The current Subdivision Regulations which was originally written in 1970 is impossible to read and very confusing with the five amendments that write over each other. That is why one document needs to be adopted that has all the text written in an existing manner. Amy Loomis from Pathways was also involved with the revised Subdivision Regulations to include pathways and she has been very persistent in inquiring when the new ordinance was going to be adopted.

General consensus amongst the Commission was to have a work session and go over the existing ordinance line by line and review what was drafted four years ago. At this time they asked to hear from Amy Loomis who was present to comment on the Amendments to the Valley County Subdivision Regulations Ordinance.

Amy Loomis, acting chair of the Valley County Pathways, PO Box 455, Donnelly came forward and stated they have worked on this a long time, but they have also worked on policy that has wound up in other documents. The BOCC did approve their master plan. Now they would like to see some clear policy for pathways in the Subdivision Regulations. Regarding herself as

being involved in development it would be great to have a set of subdivision regs that you didn't have to try and figure out what they mean.

Amy said from a Pathway's standpoint they are eager to get some of this nailed down, because they are working with each developer separately without a clear policy. Another option is we could do an ordinance with the material that is related to Pathways and do it as a separate thing, and then you could attach it with the other ones too. The Pathway map has been revised recently to show the more realistic routes for paths throughout the county. Amy distributed a worksheet copy of their recommendations for the revised subdivision regs showing input for specific pathways policy (Exhibit 1). Their experience so far was that each developer had their own ideas on how they want to connect from their internal pathways to the main pathway down the highway. They are hopeful that these recommendations will help set a clear policy within the subdivision regulations for pathways.

Staff stated she will insert their terminology with underlining within the text so that it can be more readable. Amy stated it is all about setting specific standards for everybody to follow to create a design and documentation for interconnectivity for the public roads in the subdivisions public right-of-way.

The Commission agreed to have a discussion at their next meeting on July 10, 2008 on when they should have work sessions for the Amended Subdivision Regulations Ordinance with a full commission.

C. OTHER ITEMS:

1. Facts and Conclusions: Approved as presented.

- C.U.P. 08-02 NDI Contracting INC
- C.U.P. 08-04 Dwyer Storage
- C.U.P. 08-05 Corral Country Estates

2. Appendix A Amendment - Agreed to move it to the July agenda.

3. Correspondence:

- C.U.P. 06-24 Tamarack Tree Company – Tamarack Tree Company has abandoned their use. Staff has been working with the property owner, and they are trying to get the property cleaned up and getting the sign removed.
- C.U.P. 08-01 Pero Subdivision Final Plat – Requesting 90 day extension of the final plat approval expiring on June 13, 2008 to September 13, 2008. Approved as presented.
- C.U.P. 06-14 Westwoods Subdivision No. 2 – Requesting one year extension to complete sewer and RDA. First Phase was approved for septic and recorded, second phase needs to be hooked up to sewer; they are not being allowed septic by Central District Health. They thought they had a subdivision but the plat was never recorded back in the 1970's. Approved as presented for one year to June 8, 2009.
- Applied Communications – Impact Area Land Use Plans for Donnelly & Cascade August 4th and 5th at 6:30 p.m. They want to setup meeting with Donnelly and

Cascade's Planning and Zoning Commission with Valley County Planning and Zoning to discuss Impact Areas Land Uses. Valley County needs to enter into these discussions with Donnelly and Cascade and come into an agreement with their impact area policies. Ultimately the Board of the County Commissioners has the final say.

4. **Discussion concerning Industrial/Commercial Uses.** Chairman Hatfield wanted them to start looking at and identifying places in Valley County that would be good for Industrial and Commercial Uses to be discussed at their next meeting on July 10, 2008.

5. **Discussion concerning Hinson Sports boat storage.**

Staff stated there has been outside storage all along, but they were asked to put a fence around it and that was their concession, because there is no way they can operate without the outside storage. The issue now is the storage of all of the boats in the field in the back.

Jim Hinson came forward and stated their service business has grown astronomically. It is borderline out of control. He didn't know that he couldn't store those boats in the backfield for the last month and half. He didn't realize it was a problem and sorry that he didn't know the land use laws very well.

Staff stated they worked with them on their lighting issues that they had in the past. They have made concessions throughout the years. Hinson Sports looks great from Highway 55 and what needs to happen is they need to carry the landscaping along the backside of where the issues are.

Jim Hinson says he had to move boats from leased off-site winter storage by June 1st. That is why he has been asking Sam to build more on-site storage buildings. But if that was not optional, then he wanted to ask permission for outside storage for overflow from May 15 to the end of June, and then again September 1st to October 15th for servicing the boats.

Chairman Hatfield said that Hinson's were still within the scope of their business.

Staff stated that they will document all the times that Hinson Sports has come in front of the Planning and Zoning Commission and put it on a site plan with the changes that have been agreed to since the original CUP and the Commission will confirm it.

Meeting adjourned.